

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3, 5-7, 9, 10, 13, 15 and 18-24 are pending in the application, with claims 1 and 24 being the independent claims. Claims 1, 6, 7, 15, 19, 20, and 22-24 are sought to be amended. Claim 2 has been canceled without prejudice to or disclaimer of subject matter therein. Applicants reserve the right to prosecute a similar or a broader claim in future. Claims 4, 8, 11-12, 14, and 16-17 were previously canceled. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Independent Claims 1 and 24

Claims 1-3, 5-7, 9, 10, 13, 15, 19-21, and 24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,399,261 to Sandstrom (hereinafter "Sandstrom") in view of U.S. Patent No. 5,310,897 Yamamoto *et al.* (hereinafter "Yamamoto"). Applicants respectfully traverse this rejection.

Claim 1 recites features that distinguish over the cited references. For example, claim 1 recites:

applying individual voltages having respective voltage values substantially simultaneously to each of a plurality of pixels in a spatial light modulator (SLM) to move at least one individual pixel from the plurality of pixels . . .

independently resolving individual pixels among the plurality of pixels using the apodized pupil

... calibrating the individually resolved pixels including the at least one individual pixel using the respective result signals.

The Examiner, in rejecting the above-noted features on page 5 of the Office Action, relies upon elements 402, 404 (in Figure 4), elements 608, I₁, I₂ (in Figure 6), col. 3, lines 31-34, and col. 13, lines 20-34 of Sandstrom. Applicants respectfully disagree with the Examiner's statements of rejection.

In the above-identified figures and corresponding text, Sandstrom at most discloses a technique to block light reflected from a non-deflected micromirror from reaching a substrate using aperture 402. Aperture 402 is not used to independently resolve individual pixels. In addition, Sandstrom is silent with respect to such blocking by aperture 402 being used for calibrating the individual pixels based upon a result signal associated with each independently resolved pixel. Instead, Sandstrom relies upon "*a previously empirically calibrated linearization function*" for individual pixel correction. (*See*, Sandstrom at col. 13, line 23, cited by the Examiner, emphasis added). Therefore, Sandstrom does not disclose at least the above-noted features of claim 1.

Yamamoto is being used by the Examiner in the Office Action to disclose, which Applicants do not acquiesce to, using a semi-plane knife edge that "removes all light passing through the side of the semi-plane knife-edge and thus deleting all light on that side of which would have been collected at item 120 . . . [sic]" (Office Action on page 4). However, Yamamoto is not being relied upon

to teach at least the above-noted distinguishing features of claim 1, nor does Yamamoto resolve those deficiencies in Sandstrom.

Claim 24 also recites, in respective language, similar distinguishing features with respect to at least the above-noted distinguishing features recited in claim 1. For example, claim 24 recites:

a correlating device configured to correlate the image and the voltage values to generate a first result signal, respectively for each of the individual pixels, for independently resolving each of the individual pixels substantially simultaneously; and

a controller configured to calibrate the resolved individual pixels using the first result signal.

As discussed above, with respect to the similar distinguishing features, as receptively recited in claim 1, Neither Sandstrom nor Yamamoto disclose at least these features of claim 24.

Thus, Sandstrom and Yamamoto, taken alone or in combination, cannot be used to establish a *prima facie* case of obviousness for at least the above noted features of claims 1 and 24. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn, and that claims 1 and 24, and their dependent claims be passed to allowance.

Dependent claims 10 and 18

Claims 10 and 18 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sandstrom in view of Yamamoto, and further in view of U.S. Patent No. 5,965,330 to Evans *et al.* (hereinafter "Evans"). Applicants respectfully traverse this rejection.

Claims 10 and 18 depend from claims 1 and 24, respectively, and incorporate all features thereof. On page 8 of the Office Action the Examiner

states, which Applicants do not acquiesce to, that Evans discloses a method for fabricating annular mask lens having diffraction reducing edges. However, Evans does not solve for the deficiencies of Sandstrom and Yamamoto as argued above with respect to claims 1 and 24, nor is Evans being used by the Examiner to resolve those deficiencies of Sandstrom and Yamamoto. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn, and that claims 10 and 18 be passed to allowance at least for the same reasons as claims 1 and 24, as presented above, and further in view of their own distinguishing features.

Dependent claims 22 and 23

Claims 22 and 23 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sandstrom in view of Yamamoto, and further in view of U.S. Patent No. 6,369,879 to Pedersen (hereinafter "Pedersen"). Applicants respectfully traverse this rejection.

Claims 22 and 23 depend from claims 1 and 24, respectively, and incorporate all features thereof. On page 9 of the Office Action the Examiner states, which Applicants do not acquiesce to, that Pedersen discloses a method for determining coordinates of an object. However, Pedersen does not solve for the deficiencies of Sandstrom and Yamamoto as argued above with respect to claims 1 and 24, nor is Pedersen being used by the Examiner to resolve those deficiencies of Sandstrom and Yamamoto. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn, and that claims 22 and

23 be passed to allowance at least for the same reasons as claims 1 and 24, as presented above, and further in view of their own distinguishing features.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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